

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ANDREA HOUSER,

§

Plaintiff,

§

v.

§

Civil No. 4:18-cv-241-ALM-KPJ

**CASTLE MONTESSORI SCHOOLS,
INC.,**

§

Defendant.

§

ORDER OF DISMISSAL

Pending before the Court is Plaintiff Andrea Houser (“Plaintiff”) and Defendant Castle Montessori Schools, Inc.’s (“Defendant”) Joint Stipulation of Dismissal With Prejudice and Release of Judgment (the “Stipulation”) (Dkt. #67). In the Stipulation, Plaintiff requests dismissal of all its claims with prejudice, with each party bearing its own costs, attorneys’ fees, and expenses. *See* Dkt. #67. Additionally, Plaintiff “forever releases and discharges the judgment in this case (Dkt. #54) and declares that any obligations thereunder have been fully and finally satisfied.” Dkt. #67.

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways: (1) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” FED. R. CIV. P. 41(a)(1); or (2) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(ii) by filing “a stipulation of dismissal signed by all parties who have appeared.” *Id.* As such, formal court action is not necessary in this case. However, the Court finds

that in the interest of efficiency, justice, and maintaining the clarity of the record, an entry of order of dismissal is appropriate.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, be **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs and fees.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 21st day of April, 2020.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE